

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BILLI ANNE RAINING BIRD  
MORSETTE,

Defendant.

**CR-15-61-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on October 8, 2019. (Doc. 102.) The Defendant waived the 14 day objection period and the right to allocute before the undersigned at the revocation hearing held October 7, 2019. (Doc.101.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on October 7, 2019. (Doc. 101.) The United States accused Ms. Morsette (Morsette) of violating her conditions of supervised release by 1) by using methamphetamine; 2) by failing to

report for substance abuse testing; 3) by failing to report for substance abuse treatment; 4) by failing to pay restitution as directed by the United States Probation; and 5) by failing to comply with her curfew. (Doc. 98.) Morsette admitted to all of the allegations except violations 5 and 6, (Doc. 101.) The government did not attempt to prove alleged violations 5 and 6. Judge Johnston found that Morsette's violations warrant revocation, and recommended a sentence of 5 months of custody, with 31 months of supervised release to follow. (Doc. 102 at 4.)

These violations prove serious and warrant revocation of Henderson's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 102) are **ADOPTED IN FULL**.

**IT IS FURTHER ORDERED** that Defendant Billi Anne Raining Bird Morsette be sentenced to a term of custody of 5 months with 31 months of supervised release to follow. Morsette should serve the first 6 months of supervised release at a residential re-entry center. The supervised release conditions previously should be continued. This sentence should run concurrent with the sentence imposed in CR-15-40-GF-BMM.

DATED this 9th day of October, 2019.

A handwritten signature in blue ink, reading "Brian Morris". The signature is fluid and cursive, with the first name "Brian" and last name "Morris" clearly distinguishable. It is positioned above a horizontal line.

Brian Morris  
United States District Court Judge